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27 Attorney for Plaintiff,  
28 Gregory Bender

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 GREGORY BENDER ) Case No. 09-CV-01246-CRB  
16 )  
17 Plaintiff, )  
18 v. )  
19 SONY CORPORATION OF AMERICA, a New )  
20 York corporation, )  
21 Defendant. )  
22 \_\_\_\_\_)

)  
) **STIPULATION AND [PROPOSED]**  
) **ORDER TO EXTEND TIME TO**  
1 ) **RESPOND TO AMENDED**  
2 ) **COMPLAINT**  
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22 **RECITALS**

23 WHEREAS, the Complaint of Plaintiff Gregory Bender (“Plaintiff”) in this action was  
24 filed on or about March 23, 2009;

25 WHEREAS, the Amended Complaint of Plaintiff in this action was filed on or about May  
26 20, 2009;

WHEREAS, Defendant Sony Corporation of America's ("Sony's") response to Plaintiff's Amended Complaint is due on September 16, 2009;

WHEREAS, Plaintiff filed a Stipulation to File a Second Amended Complaint on September 15, 2009;

WHEREAS, this extension will provide time for the Court to determine whether accept the parties stipulation regarding Plaintiff's Second Amended Complaint; and

WHEREAS, this additional time will not interfere with any other deadlines set by the Court in this matter.

## STIPULATION

Pursuant to Local Rule 6-1(a), IT IS HEREBY STIPULATED AND AGREED by the parties, through their counsel, that the time within which Sony shall be required to file its answer, motion, counterclaim, cross-claim and/or other responses to Plaintiff's Amended Complaint in this action shall be extended to and including September 30, 2009 or such other time as may be required to respond to a Second Amended Complaint if allowed by the Court.

APPROVED AS TO FORM AND CONTENT

DATED: September 16, 2009

STEVEN M. BAUER  
MICHAEL A. FIRESTEIN  
JACOB K. BARON  
PROSKAUER ROSE LLP

/s/ Jacob K. Baron

Attorneys for Defendant,  
Sony Corporation of America

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2 DATED: September 16, 2009  
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DAVID N. KUHN

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/s/ David N. Kuhn

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David N. Kuhn

Attorney for Plaintiff,  
Gregory Bender

1 DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B  
2

3 I, Jacob K. Baron, hereby declare pursuant to General Order 45, § X.B, that I have  
4 obtained the concurrence on the filing of this document from the all the signatories listed above.

5 I declare under penalty of perjury that the foregoing declaration is true and correct.  
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7 DATED: September 16, 2009  
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9 /s/ Jacob K. Baron  
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11 Jacob K. Baron  
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## [PROPOSED] ORDER

Having considered the foregoing Stipulation, and good cause appearing,

(1) The time within which Sony shall be required to file its answer, motion, counterclaim, cross-claim and/or other response to Plaintiff's Amended Complaint in this action shall be extended to and including September 30, 2009 or such other time as may be required to respond to a Second Amended Complaint if allowed by the Court.

## IT IS SO ORDERED

DATED: September 16, 2009

The Honorable Charles R. Breyer  
Judge of the United States District Court  
Northern District of California

IT IS SO ORDERED  
*CRB*  
Judge Charles R. Breyer